

Minutes August 19, 2020

The Provincetown Historic District Commission Work Session of 3:30 PM and Public Hearing of 4:00 PM; Wednesday, August 19, 2020.

NOTE: THIS IS A REMOTE PARTICIPATION MEETING

Pursuant to Governor Baker's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, §18, and the Governor's March 15, 2020 Order imposing strict limitation on the number of people that may gather in one place, this meeting of the Provincetown Historic District Commission will be conducted via remote participation to the greatest extent possible. Specific information and the general guidelines for remote participation by members of the public and/or parties with a right and/or requirement to attend this meeting can be found on the Provincetown website, at <https://www.provincetown-ma.gov/>.

For this meeting, members of the public who wish to watch/listen and participate in the meeting may do so in the following manner:

1. Watch on PTV GOV Channel 18, as well as an online livestream of PTV GOV at <http://www.provincetowntv.org/watch.html>
2. To listen and participate in this meeting, dial **(833) 579-7589**. When prompted, enter the following conference ID number: **491 594 349 #**. Please do not speak until the chair or the meeting moderator asks for public comments or questions. Please mute your phone until you are called upon to speak.

No in-person attendance of members of the public will be permitted, but every effort will be made to ensure that the public can adequately access the proceedings in real time, via technological means. In the event that we are unable to do so, despite best efforts, we will post on the Provincetown website an audio or video recording or other comprehensive record of proceedings as soon as possible after the meeting.

Members by remote: Thomas Biggert (TB), Chairman, Pilgrim Monument Rep.; Hersh Schwartz (HS), Clerk, Chamber of Commerce Rep.; John Dowd (JD), PGB Rep.; Christopher Mathieson (CM), PAAM Rep.; Michela Carew Murphy (MCM), Alternate.

Excused Absence: Laurie Delmolino, Vice-Chair, Historical Commission Rep.

Staff present: Anne Howard (AH), Building Commissioner; Thaddeus Soule (TS), Town Planner.

TS gave opening remarks at 3:35pm and called for TB to give quorum by roll call.

TB issued roll-call and called the meeting to order, then gave the meeting over to TS who read the rules governing Public Meeting protocols under current State guidelines regarding the pandemic.

Work Session: VOTES MAY BE TAKEN

1. Update on potential violations reported to the Building Commissioner.

AH announced that there are likely to be presentations today from the contractors at 7 Conway and 10 Whorf's Court, both having employed materials which were not originally approved at previous HDC hearings; has not been in touch with owner of 9 Bradford in terms of the fence.

2. Determination as to whether the applications below involve any Exterior Architectural Features within the jurisdiction of the Commission; with Full Reviews to be placed on the September 2, 2020 Public Hearing agenda and Administrative Reviews to be acted on by a subcommittee appointed by the Commission.

TB made a motion to consider the following for Full Review.

- iv) [31 Bradford St.](#) – To replace a front door.
- v) [10-12 W. Vine St., U3](#) – To demolish a garage.
- vi) [11 Johnson St.](#) – To add replace and add fencing.
- vii) [9 Bangs St., U1](#) – To add a deck, replace 2 windows, add a slider and replace siding.
- ix) [416 Commercial St.](#) – To replace windows, siding, and a roof and to add a dormer.

HS seconded the motion and it passed, 5-0-0; TB, HS, JD, CM, MCM.

TB made a motion to consider the following for Administrative Review:

- i) [25 Court St.](#) – To replace 5 windows in kind.
- ii) [478 Commercial St., U1](#) – To replace various windows in kind.
- iii) [536 Commercial St., U1](#) – To replace two windows in kind.
- viii) [108 Commercial St.](#) – To demolish and rebuild a chimney.

HS seconded the motion and it passed, 5-0-0; TB, HS, JD, CM, MCM

- i) [25 Court St.](#) – To replace 5 windows in kind.

TB noted Anderson replacements and grilles to be added. CM said he had spoken to the applicant earlier and could text him to call in at this time.

Mark Lisbon presented; said existing units are not originals, were replacements from about 15 years ago, replacements are Anderson 400 series.

TB made a motion to approve as presented with the condition of simulated divided light. JD seconded the motion and it passed, 5-0-0; TB, JD, HS, CM, MCM.

- ii) [478 Commercial St., U1](#)- To replace various windows in kind.
Hal Winnard presented; said the originals were all wood and that there were a lot of broken panes involved and temporary units were placed as an emergency measure; only sashes to be replaced, replacements to be vinyl on the outside.
CM said he felt the Board didn't have enough information to make a decision. HS and TB agreed. TB opted for a site visit. Mr. Winnard disagreed, said the photos showed all the windows involved and that he had sent a total of three, but HS said the other two photos never made it into the packet.
TS requested Mr. Winnard e-mail all photos again and cc AH.
TB made a motion to continue the decision to the meeting of September 2, 2020. HS seconded the motion and it passed, 5-0-0; TB, HS, JD, CM, MCM.
- iii) [536 Commercial St., U1](#) – To replace two windows in kind.
No one presented.
AH suggested determining the significance of the window units, sited American Craftsman, two front windows on the Commercial Street side; asked what is significant about the existing windows. JD replied that while the existing are not necessarily significant and the applicant has the right to replace as is, this might also be an opportunity to replace with something more historically correct, to which TB agreed.
TB made a motion to continue the decision to the meeting of September 2, 2020. HS seconded the motion and it passed, 5-0-0; TB, HS, JD, CM, MCM.
- iv) [108 Commercial St.](#) – To demolish and rebuild a chimney.
Randy Trullo presented; said the chimney had fallen over and is leaking; cited a failed attempt to seal the structure, noted existing concrete.
TB made a motion to approve as presented with the condition that the replacement be in kind: bricks to match in traditional red with traditional non-thick, white grout line. HS seconded the motion and it passed, 5-0-0; TB, HS, JD, CM, MCM.

3. Any other business that shall properly come before the Commission:

Review of Viewpoint Database.

Lynn Martin, of MIS, spoke of the implementation of new software as an improvement on the former Acela platform and demonstrated the new product parameters, including permitting and application and document processing, in a Power Point presentation. JD said it would be helpful for all the subdivisions of a given application to be in one file, or at least to be able to view the whole spread at once. CM concurred and added the importance of mapping contours. Ms. Martin said those adjustments can be rendered and made specific per individual task request.

7 Conway Street

Applicant is requesting a reversal in the decision requiring a change-out to wood. HS reviewed the decision of [HDC 20-016](#) from September 4, 2019 with plans dated July 16, 2019 wherein it was stated that the deck would be wood and the balusters and railings to match wood materials. CM, HS and JD each stated they felt the original decision should stand; MCM abstained.

TB made a motion to let the decision stand. HS seconded the motion and it passed, 4-0-1: TB, HS, JD, CM, in favor; MCM abstained.

10 Whorf's Court

Dick Berry, owner, and Rupert Bankert, contractor, presented. Mr. Berry said they made a mistake and now the porch is completely built; doesn't feel the new structure has any impact on the Historic District.

TB suggested the contractor ought to know that the materials employed were incorrect. HS said she felt the decision of [HDC 18-201](#) should stand. Mr. Bankert defended the railing, saying the original plans don't specify materials and that the railing is attractive and appropriate for the neighborhood and looks like wood. HS stated that on the plans dated May 2, 2018 wood was indicated to be used in the railing. Mr. Bankert said the framing and top trim board, ceiling and supports are wood; plastic material where ground contact is made.

JD asked Mr. Bankert to consider the patina from aging that will be affected by wood materials but not the composite currently in place. CM said he would feel awkward as a representative of the HDC and PAAM to negate a previous decision in lieu of a mistake. TB said a decision can be affected if the property cannot be seen from a public way. JD proposed the Board ask if it would be allowing a superior wood-like composite going forward.

AH said Whorf's Court is a public way; pointed to a case where Versa-tech was approved and suggested there are big differences in the grades of composites. MCM said she didn't feel morally right in asking an applicant to undergo such a financial burden during a pandemic, requested the Board get more information on the material, to which Mr. Bankert said he would provide. TB advised a site visit to the property for those who have not seen the work.

TB made a motion to reconsider the decision to the meeting of September 2, 2020. HS seconded the motion and it passed, 5-0-0; TB, HS, JD, CM, MCM.

4. **Public Comments:** On any matter not on the agenda below

Adam Rogers of [10 West Vine Street](#) asked the status of his application and had assumed a 4:00 start time. TB informed Mr. Rogers that the case was determined to require a Full Review.

TB opened the Public Hearing at 4:55pm.

5. **Public Hearings: VOTES MAY BE TAKEN**

- a) [HDC 20-257](#) (continued from the meeting of August 5th)
Application by **Kurt E. Raber**, of **BLF&R Architects, Inc.**, on behalf of **Riley Brothers Realty, LLC**, requesting to renovate a bike shop and apartments, including removing a cold storage room on the southwest elevation and demolishing a dwelling unit on the northwest

elevation, constructing a new one-and-a-half-story addition for the display and storage of bikes on the ground level and for the addition of 3 dwelling units on the second floor of the structure on the property located at **136 Bradford Street**.

Kurt Raber presented.

JD addressed the over-hang, questioned the placement of brackets, directed the trim be wider; reflected on the bike shop addition on the south elevation to be in keeping with the rest of the building; highlighted the posts and their relationship to the bases; A.2, mansard on the original part of the building looms out of proportion to the first floor and asked if the first floor might be elevated to read like the old section in the front.

Mr. Raber said this would not be practical as the additional space is for bike storage and a certain ceiling height is required to that end; per the attic space, there are residential space concerns and noted that they are building into a hill, with a change in grade between 136 Bradford and the abutter. TB said he agreed with JD for a push-up that would match the vertical levels and then the panels could be eliminated.

CM complimented the applicants for the work done on the building design and felt it would add a lot to the neighborhood. TB agreed that the new building will be a good addition.

Mr. Raber said he felt the columns would be better without the build-out on the bottom and with straight posts and asked if the three changes as proposed could be agreed on so that they can move forward with other boards. TB agreed, as did the others. JD asked if the four sections could be chamfered, to which Mr. Raber agreed.

JD made a motion to accept as presented with the following conditions; that the south elevation A.2.1 bike shop addition have a projecting fascia/frieze or cornice to mimic the detail of the new bike shop living unit addition in the rear; stair posts be square with chamfered middle section; Italianate door canopy supports be attached to the door trim; height of the new bike shop addition mansard be the same as the height of the existing bike shop mansard, and panels under the windows be eliminated.

TB seconded the motion and it passed, 5-0-0; JD, TB, HS, CM, MCM.

JD noted that on the 2nd floor of the west elevation, a ganging up of the two windows in the bedroom, which is a bit inauthentic and should be separated to be correct.

TB made a motion to approve reconsideration that the two bedroom windows on the west elevation be separated to the maximum allowed. HS seconded the motion and it passed, 5-0-0; TB, HS, JD, CM, MCM.

JD asked per the door on the second floor, which Mr. Raber explained as two doors hidden by the railing; asked if the application for the ZBA should be adjusted based on the new configuration, to which AH said yes.

b) [HDC 20-2007](#) (continued from the meeting of August 5th)

Application by **Scott O'Barr, Trustee**, on behalf of **Fisherman's Cove Condominium Trust**, requesting to add cable railings in between an existing wood rail system at the property located at **145 & 147 Commercial Street**.

Scott O'Barr presented.

MCM spoke in favor of wood; stated that she's never voted for cable railing. TB said he felt that cable railing in this case is a perfect solution where captured balusters are not

appropriate. JD said he agreed with TB as the cable seems to disappear in a design that is like an update to code. HS agreed.

Mr. O'Barr confirmed to CM that their insurance company is asking that they upgrade to code and that they felt this plan was a way to facilitate that requirement while retaining historic integrity. CM said he felt this one was a touchy call. TB asked CM what he felt about the cut-out balusters at 136 Bradford and elsewhere which look very pleasing but are not in the HDC bylaws. Discussion ensued on alternate looks in Town, per code and historic imperatives.

TB made a motion to approve as presented. HS seconded the motion and it passed, 4-1-0; TB, HS, JD, CM, in favor; MCM, opposed.

MCM left the meeting at 5:37pm.

6. Review and approval of Minutes

HS made a motion to approve the meeting minutes of July 15, 2020. TB seconded the motion and it passed, 4-0-0; HS, TB, JD, CM.

7. Deliberations on Pending Decision: VOTES MAY BE TAKEN

TB made a motion to approve the August 19, 2020 decision of **HDC 20-257, 136 Bradford Street**, as written and read into the record by HS. HS seconded the motion and it passed, 4-0-0; TB, HS, JD, CM.

TB made a motion to approve the August 19, 2020 decision of **HDC 20-2007, 145-147 Bradford Street** as written and read into the record by HS. HS seconded the motion and it passed 4-0-0; TB, HS, JD, CM.

AH said she met with the contractor at 3 Soper Street and that the conversion from a single to a three-family home will require about 60% of roof to be removed in order to be re-framed.

AH asked the HDC per a homeowner's request at 8 Conwell Street to remove of a privet hedge to build a 3' tall stone wall, as the guidelines aren't specific as to the Historic District. TB requested more information. AH said the stone mason is Chris Correa and that she would inquire after more details. TB said it would have to be a full review. AH said the stone wall would set back from the road about 3'.

JD brought to the HDC's attention two doors that mimic windows on the west elevation, A.2.2, of the 136 Bradford Street bike shop which, he said, might look kind of fake. TB agreed, as did CM. AH noted the doors are custom-built. JD suggested that if the doors haven't been ordered, perhaps the applicant could be approached with this new amendment. AH said she would check with Mr. Raber tomorrow.

TB made a motion to adjourn the meeting at 5:56pm. HS seconded the motion and it passed, 4-0-0; TB, HS, JD, CM.

Respectfully Submitted,
Jody O'Neil